

1 BILL NO. Z-80-06- 13

2 ZONING MAP ORDINANCE NO. Z- 21-80

3 AN ORDINANCE amending the City of Fort  
4 Wayne Zoning Map No. N-46.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby  
8 designated an R-A District under the terms of Chapter 33, of the Code  
9 of the City of Fort Wayne, Indiana, 1974; and the symbols of the City  
10 of Fort Wayne Zoning Map No. N-46, referred to therein, established by  
11 Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

12 A part of the Southwest Quarter, Section 12, Township 31  
13 North, Range 12 East, Allen County, State of Indiana, more  
14 particularly described as follows:

15 Beginning at a point 1,421.8 feet north of the centerline  
16 of Cook Road and 30 feet east of the centerline of Coldwater  
17 Road; thence North 00 degrees, 38 minutes, 40 seconds West a  
18 distance of 166.0 feet along the east right-of-way line of  
19 Coldwater Road to the southerly boundary of Carlisle Place,  
20 as recorded in Plat Book 21, Page 39, in the Office of the  
21 Allen County Recorder; thence North 89 degrees, 12 minutes,  
22 53 seconds East a distance of 805.73 feet; thence South  
23 26 degrees, 50 minutes, 50 seconds East a distance of  
24 212.62 feet to a point on the northerly boundary of land  
25 annexed per Ordinance No. X-02-79; thence South 89 degrees,  
26 06 minutes, 20 seconds West a distance of 656.27 feet to a  
27 point which is on an arc of a circle with a radius of 50.0 feet;  
28 thence southwesterly, westerly and northwesterly on a curve  
29 concave to the north, having a radius of 50.0 feet, a distance  
30 of 130.9 feet to a point, said point being derived by a chord of  
31 96.59 feet, having a bearing of North 75 degrees, 53 minutes,  
32 40 seconds West; thence South 89 degrees, 06 minutes, 20  
33 seconds West a distance of 150.0 feet to the Point of Beginning;  
34 containing 3.7 acres, more or less, and subject to easements of  
35 record.


36 Also:

37 Beginning at the northwest corner of Lot Numbered 122 in  
38 Wheatridge, Section I, as recorded in Plat Book 42, Page  
39 118 in the Office of the Allen County Recorder; thence  
40 North 71 degrees, 18 minutes, 09 seconds West a distance  
41 of 61.96 feet along the boundary per annexation Ordinance  
42 No. X-02-79; thence North 00 degrees, 53 minutes, 40 seconds  
43 West a distance of 99.16 feet; thence South 26 degrees,  
44 50 minutes, 50 seconds East a distance of 133.38 feet to  
45 the Point of Beginning; containing 0.07 acres, more or less,


and subject to easements of record.

The intent being to include all real property known as Stone Pointe Village that was not previously annexed in Ordinance No. X-02-79.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

  
\_\_\_\_\_  
Council member

APPROVED AS TO FORM AND  
LEGALITY JUNE 23, 1980.

  
\_\_\_\_\_  
JOHN E. HOFFMAN  
City Attorney

Read the first time in full and on motion by Eustub,  
seconded by Salinas, and duly adopted, read the second time  
by title and referred to the Committee Resolutions (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 6/24/80

Charles W. Westerman /ne  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Eustub,  
seconded by Salinas, and duly adopted, placed on its  
passage. PASSED (Lost) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>5</u>	<u>1</u>		<u>3</u>	
BURNS	<u>✓</u>				
EISBART	<u>✓</u>				
GIAQUINTA	<u>✓</u>				
NUCKOLS				<u>✓</u>	
SCHMIDT, D.				<u>✓</u>	
SCHMIDT, V.				<u>✓</u>	
SCHOMBURG		<u>✓</u>			
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 8-12-80

Charles W. Westerman /ne  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~)

(~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. 3-21-80

on the 12th day of August, 19 80.

ATTEST:

(SEAL)

Charles W. Westerman /ne  
CHARLES W. WESTERMAN - CITY CLERK

James Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 13th day of August, 19 80, at the hour of  
11:30 o'clock A. M., E.S.T.

Charles W. Westerman /ne  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 18th day of August  
19 80, at the hour of 9:30 o'clock A. M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. Z-80-06-13

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN  
ORDINANCE Amending the City of Fort Wayne Zoning Map No. N-46

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

8-12-80  
DATE \_\_\_\_\_ CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 24, 1980 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-06-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 21, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 28, 1980.

Certified and signed this  
29th day of July 1980.

*Tu. Joyce Schlatter*

Joyce Schlatter  
Secretary

LEGAL DESCRIPTION FOR ADDITIONAL ANNEXATION  
OF STONE POINTE VILLAGE

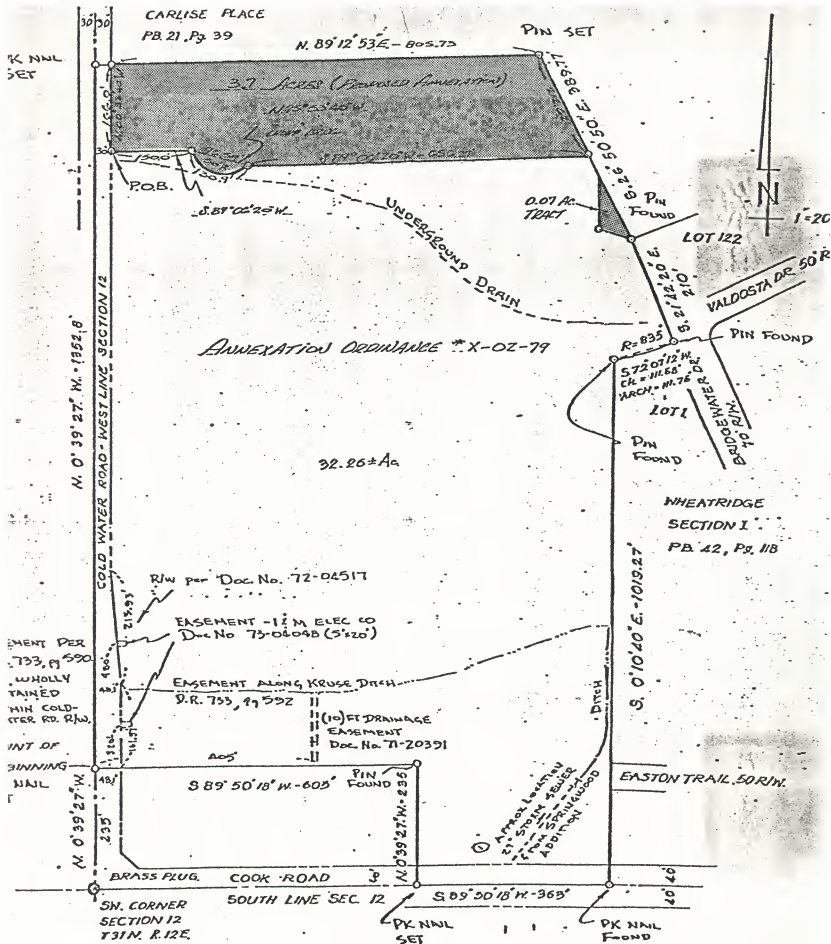
A part of the Southwest Quarter, Section 12, Township 31 North, Range 12 East, Allen County, State of Indiana, more particularly described as follows:

Beginning at a point 1,421.8 feet north of the centerline of Cook Road and 30 feet east of the centerline of Coldwater Road; thence North 00 degrees, 38 minutes, 40 seconds West a distance of 166.0 feet along the east right-of-way line of Coldwater Road to the southerly boundary of Carlisle Place, as recorded in Plat Book 21, Page 39, in the Office of the Allen County Recorder; thence North 89 degrees, 12 minutes, 53 seconds East a distance of 805.73 feet; thence South 26 degrees, 50 minutes, 50 seconds East a distance of 212.62 feet to a point on the northerly boundary of land annexed per Ordinance No. X-02-79; thence South 89 degrees, 06 minutes, 20 seconds West a distance of 656.27 feet to a point which is on an arc of a circle with a radius of 50.0 feet; thence southwesterly, westerly and northwesterly on a curve concave to the north, having a radius of 50.0 feet, a distance of 130.9 feet to a point, said point being derived by a chord of 96.59 feet, having a bearing of North 75 degrees, 53 minutes, 40 seconds West; thence South 89 degrees, 06 minutes, 20 seconds West a distance of 150.0 feet to the Point Of Beginning; containing 3.7 acres, more or less, and subject to easements of record.

Also:

Beginning at the northwest corner of Lot Numbered 122 in Wheatridge, Section 1, as recorded in Plat Book 42, Page 118 in the Office of the Allen County Recorder; thence North 71 degrees, 18 minutes, 09 seconds West a distance of 61.96 feet along the boundary per Annexation Ordinance No. X-02-79; thence North 00 degrees, 53 minutes, 40 seconds West a distance of 99.16 feet; thence South 26 degrees, 50 minutes, 50 seconds East a distance of 133.38 feet to the Point Of Beginning; containing 0.07 acres, more or less, and subject to easements of record.

The intent being to include all real property known as Stone Pointe Village that was not previously annexed in Ordinance No. X-02-79.



**REQUEST TO REZONE FROM RI TO RA ZONING**

MAP No. N-46 Z-80-06-13



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

July 7, 1980

Mr. John Hoffman  
City Attorney  
1212 Anthony Wayne Bank Bldg.  
Fort Wayne, IN 46802

Dear Mr. Hoffman:

As requested July 1, 1980, the following is a report from the Plan Commission on the Stone Pointe Village Phase II site.

The northern 3.71 acres of this project is not within the City limits. Voluntary annexation is in process; however, no ordinance to that effect has been introduced to City Council. Due to the procedural requirements for annexation, it will be approximately four (4) months before the annexation will be final.

The part of the site for Stone Pointe Village Phase II within the City limits is presently zoned RA suburban residential. Surrounding areas within City limits are also zoned RA. A development plan for this project was approved in May, 1980.

Sincerely,

Allen P. Norby, Jr., AICP  
Director of Planning

APN/js





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

29 July 1980

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held July 28, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-80-06-13
2. From R-1 to R-A
3. Intended Use: Apartment Complex - Stone Pointe Village
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This rezoning will permit the expansion of a multi-family project which has been determined, by this Commission, to be compatible.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

  
Gary F. Baeten  
Senior Planner

GFB:pb

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

DATE FILED \_\_\_\_\_

INTENDED USE Multi-Family

I/We Fort Wayne City Plan Commission

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an R-A District the property described as follows:

SEE ATTACHED

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

City Plan Commission

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_.

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

City Plan Commission

1 Main Street / Ft. Wayne, IN

423-7571

(Name)

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

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Owners of Property

<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

## DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-80-06-13DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE A 3.7 Acre tract which is the north section of the  
Stone Pointe Village Apartment complex.EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.  
Property will become R-A - Suburban Residential (which allows multi-family develop-  
ment).EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.)) Regulations



OFFICE OF THE CITY CLERK

## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Charles W. Westerman, Clerk -/- Room 122

August 19, 1980

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of  
August 22, 1980 and August 29, 1980, in both the News  
Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. Z-80-06-13  
Zoning Map No. Z-21-80

Please send us(5) five copies of the Publisher's Affidavit from  
both newspapers.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles W. Westerman".

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 12th day of August, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-80-06-13 -- Zoning Map Ordinance No. Z-21-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-80-06-13 -- Zoning Map Ordinance No. Z-21-80, was passed by the Common Council on the 12th day of August, said Ordinance was signed and approved by the Mayor on the 18th day of August, 1980, and now remains on file and on record in my office.

Copies of Bill No. Z-80-06-13 -- Zoning Map Ordinance No. Z-21-80, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-80-06-13 -- Zoning Map Ordinance No. Z-21-80, will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman  
Charles W. Westerman  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinance in the designated places as stated on August 22, 1980

Charles W. Westerman  
Charles W. Westerman  
City Clerk

Fort Wayne Common Council

To NEWS-SENTINEL Dr.

(Governmental Unit)

Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

51

2

53

## COMPUTATION OF CHARGES

53 lines, 1 columns wide equals 53 equivalent lines at .253¢ \$ 13.41  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

3 extra

1.50

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM.

\$ 14.91

## DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D. Roose

Date Aug. 29 19 80

Title CLERK

Notice is hereby given that on the 12th day of August, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z 80-06-13 - Zoning Map Ordinance No. Z 21-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N 46.

1. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z 80-06-13 - Zoning Map Ordinance No. Z 21-80, was passed by the Common Council on the 13th day of August, said Ordinance was signed and approved by the Mayor on the 18th day of August, 1980, and now remains on file and on record in my office.

Copies of Bill No. Z 80-06-13 - Zoning Map Ordinance No. Z 21-80, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana:

(1) The main floor lobby of the City-County Building

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CHARLES W. WESTERMAN  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinance in the designated places as stated on August 22, 1980

CHARLES W. WESTERMAN  
City Clerk

8/22-79

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that she is CLERK of the

NEWS-SENTINELDAILY

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

8/22 - 8/29/80

Subscribed and sworn to before me this 29th day of August 19 80My commission expires September 28, 1983

D. Roose

Harry V. Owsen

Notary Public

**Fort Wayne Common Council**

(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

**Allen**

County, Ind.

**FORT WAYNE, INDIANA****PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

**51****2****53****COMPUTATION OF CHARGES**53 lines, 1 columns wide equals 53 equivalent lines at .253¢ **\$ 13.41**  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) **3 extra** **1.50**

TOTAL AMOUNT OF CLAIM.

**\$ 14.91****DATA FOR COMPUTING COST**

Width of single column 9.6 picas

Size of type 6 pointNumber of insertions 2Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Arvilla DeWald*Date **Aug. 29** 19 **80**Title **CLERK****PUBLISHER'S AFFIDAVIT**State of Indiana  
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of theJOURNAL-GAZETTE  
DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA townin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:**8/22 - 8/29/80**Subscribed and sworn to before me this 29th day of August 19 80My commission expires **September 28, 1983**

Notary Public

Notice is hereby given that on the 12th day of August, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-80-06-13 - Zoning Map Ordinance No. Z-21-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-44.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-80-06-13 Zoning Map Ordinance No. Z-21-80, was passed by the Common Council on the 13th day of August, said Ordinance was signed and approved by the Mayor on the 18th day of August, 1980, and now remains on file and on record in my office.

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CHARLES W. WESTERMAN  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinance in the designated places as stated on August 22, 1980

CHARLES W. WESTERMAN  
City Clerk

8/22 29